

REMARKS/ARGUMENTS

The amendments to Claim 10 are supported by Claim 11, which has been cancelled. The amendment to Claim 17 is supported by Claim 18. New Claims 19-24 are supported by Claims 12-14, specification page 5, line 36-page 6, line 5, and by specification page 6, lines 24-29. Other amendments are formal in nature. No new matter has been entered.

The rejections presented under 35 U.S.C. 112 have been addressed by the above amendments.

The pending claims have been limited to a preferred embodiment herein as described at specification page 6, lines 34-35: particles comprising a core of calcium carbonate coated with two different coating agents. As noted in amended Claim 10, the first coating agent comprises at least one compound selected from the group consisting of alkylsulfates, sulfonic acids, carboxylic acids, their salts, their esters, fatty alcohols, polyhydric alcohols and mixtures thereof, and is applied on at least a part of the surface of the core in a first step to provide an intermediate product. Then, a second coating agent that comprises at least one compound selected from the group consisting of polyhydric alcohols, esters of carboxylic acids, and mixtures thereof, is applied on at least a part of the surface of the intermediate product in a second step to provide the claimed particles. These particles are useful as fillers, etc., as explained at specification page 1, lines 5-11.

The anticipation rejection over Artur is traversed. As noted by the Examiner, Artur discloses surface-treated calcium carbonate particles. However, the surface-modifying compounds in Artur are limited to sulfonic acids, salts thereof, and carboxylic acids. See col. 2, lines 30-40 and, e.g., the filler compositions in Table I at col. 7 using stearic acid and dodecylbenzenesulfonic acid. While Applicants' first coating agent can contain sulfonic acids and carboxylic acids, their second coating agent requires the presence of a polyhydric alcohol

and/or a carboxylic acid ester, neither of which are suggested in Artur. As such, the anticipation rejection should be withdrawn.

Kobayashi is similar to Artur in that only components of Applicants' first coating agent are suggested (fatty acids and their salts), and thus the reference cannot anticipate the claims. As such, the anticipation rejection over Kobayashi should be withdrawn.

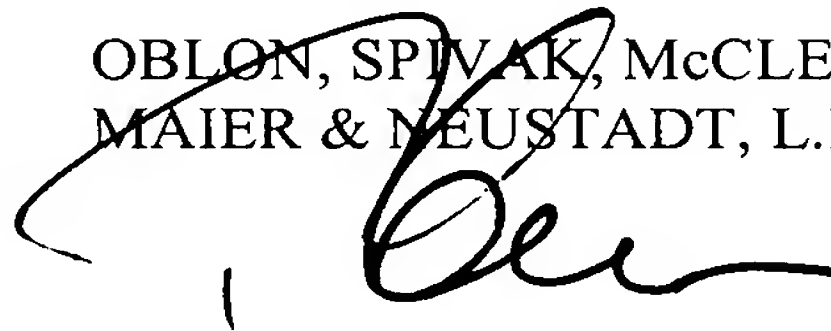
Finally, Nover discloses only a single coating material - a collapsed micelle of sodium stearate - that provides a double layer of the same material upon collapse. See col. 2, lines 34-47 of the reference. For this reason the anticipation rejection over Nover should be withdrawn.

Importantly, none of Artur, Kobayashi, or Nover, even when taken in combination, disclose or suggest Applicants' presently claimed coated particles. In this regard, Applicants' specification shows that yield value, viscosity and dispersibility are positively controlled through the use of a combination of the first and second coatings according to the invention, while single-coat particles described in, e.g., Examples 5 (no first coating material), 6 (at 0% glycerol) and 7 (at 0% glycerol) showed substantially poorer results. See specification pages 10-11.

Accordingly, because none of Artur, Kobayashi, and Nover disclose or suggest the present invention as now claimed Applicants respectfully request the reconsideration and withdrawal of the outstanding rejections and the passage of this case to Issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)